



**Indiana Pro Bono Commission**  
230 East Ohio Street, 4<sup>th</sup> Floor  
Indianapolis, IN 46204

**Indiana Bar Foundation**  
230 East Ohio Street, Suite 110  
Indianapolis, IN 46204

**COMBINED 2002 DISTRICT REPORT, 2004 PRO BONO GRANT  
APPLICATION, AND 2004 PLAN**

Pro Bono District 7

Applicant: DISTRICT 7 PRO BONO CORPORATION

Mailing Address: Division 2, Courthouse, 33 South Third Street

City: Terre Haute, IN Zip: 47807

Phone: (812) 462-3238 Fax: (812) 232-4650

E-mail address: [Bufsab2@aol.com](mailto:Bufsab2@aol.com) Web site address: None

Judicial Appointee: Phillip I. Adler

Plan Administrator: Carrie McKillip

Names of Counties served: Clay, Sullivan, Vermillion, Vigo, Parke, Putnam

Amount of grant received for 2002: \$34,762

\* Amount of grant unused from 2002 and previous years: \$32,942.70

\* Amount of grant unused but committed to expenses in 2003: \$10,000-\$12,000

Amount of grant received for 2003: \$5,740.00

Amount requested for 2004: \$9,500.00

\* Please submit request for approval to the Indiana Bar Foundation.

**The following representations**, made to the best of our knowledge and belief, are being provided to the Indiana Pro Bono Commission and Indiana Bar Foundation in anticipation of their review and evaluation of our funding request and our commitment and value to our Pro Bono District.

#### **Operation under Rule 6.5**

In submitting this application for funding, this district is representing itself as having a Pro Bono Plan, which is pursuant to Rule 6.5 of the Indiana Rules of Professional Conduct. The plan enables attorneys in our district to discharge their professional responsibilities to provide civil legal pro bono services; improves the overall delivery of civil legal services to persons of limited means by facilitating the integration and coordination of services provided by pro bono organizations and other legal assistance organizations in our district; and ensures access to high quality and timely pro bono civil legal services for persons of limited means by (1) fostering the development of new civil legal pro bono programs where needed and (2) supporting and improving the quality of existing civil legal pro bono programs. The plan also fosters the growth of a public service culture within the our district which values civil legal pro bono publico service and promotes the ongoing development of financial and other resources for civil legal pro bono organizations.

We have adhered to Rule 6.5 (f) by having a district pro bono committee composed of:

- A. the judge designated by the Supreme Court to preside;
- B. to the extent feasible, one or more representatives from each voluntary bar association in the district, one representative from each pro bono and legal assistance provider in the district, and one representative from each law school in the district; and
- C. at least two (2) community-at-large representatives, one of whom shall be a present or past recipient of pro bono publico legal services.

We have determined the governance of our district pro bono committee as well as the terms of service of our members. Replacement and succession members are appointed by the judge designated by the Supreme Court.

Pursuant to Rule 6.5 (g) to ensure an active and effective district pro bono program, we:

- A. prepare in written form, on an annual basis, a district pro bono plan, including any county sub-plans if appropriate, after evaluating the needs of the district and making a determination of presently available pro bono services;
- B. select and employ a plan administrator to provide the necessary coordination and administrative support for the district pro bono committee;
- C. implement the district pro bono plan and monitor its results;
- D. submit an annual report to the Commission; and
- E. forward to the Pro Bono Commission for review and consideration any requests which were presented as formal proposals to be included in the district plan but

were rejected by the district committee, provided the group asks for review by the Pro Bono Commission.

### **Commitment to Pro Bono Program Excellence**

We also understand that ultimately the measure of success for a civil legal services program, whether a staffed or volunteer attorney program, is the outcomes achieved for clients, and the relationship of these outcomes to clients' most critical legal needs. We agree to strive for the following hallmarks which are characteristics enhancing a pro bono program's ability to succeed in providing effective services addressing clients' critical needs.

**1. Participation by the local bar associations.** The associations believe the program is necessary and beneficial.

**2. Centrality of client needs.** The mission of the program is to provide high quality free civil legal services to low-income persons through volunteer attorneys. Client needs drive the program, balanced by the nature and quantity of resources available. The staff and volunteers are respectful of clients and sensitive to their needs.

**3. Program priorities.** The program engages in a priority-setting process, which determines what types of problems the program will address. Resources are allocated to matters of greatest impact on the client and are susceptible to civil legal resolution. The program calls on civil legal services and other programs serving low-income people to assist in this process.

**4. Direct representation component.** The core of the program is direct representation in which volunteer attorneys engage in advocacy on behalf of low-income persons. Adjunct programs such as advice clinics, pro se clinics and paralegal assistance are dictated by client needs and support the core program.

**5. Coordination with state and local civil legal service programs and bar associations.** The programs work cooperatively with the local funded civil legal services programs. The partnerships between the civil legal services programs and the local bar association results in a variety of benefits including sharing of expertise, coordination of services, and creative solutions to problems faced by the client community.

**6. Accountability.** The program has mechanisms for evaluating the quality of service it provides. It expects and obtains reporting from participating attorneys concerning the progress/outcome of referred cases. It has the capability to demonstrate compliance with requirements imposed by its funding source(s), and it has a grievance procedure for the internal resolution of disputes between attorneys and clients.

**7. Continuity.** The program has a form of governance, which ensures the program will survive changes in bar leadership, and has operational guidelines, which enable the program to survive a change in staff.

**8. Cost-effectiveness.** The program maximizes the level of high quality civil legal services it provides in relationship to the total amount of funding received.

**9. Minimization of barriers.** The program addresses in a deliberate manner linguistic, sensory, physical and cultural barriers to clients' ability to receive services from the program. The program does not create undue administrative barriers to client access.

**10. Understanding of ethical considerations.** The program operates in a way which is consistent with the Rules of Professional Conduct; client confidentiality is assured and conflicts of interest are avoided.

**11. ABA Standards.** The program is designed to be as consistent with the ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means as possible.

No events, shortages or irregularities have occurred and no facts have been discovered which would make the financial statements provided to you materially inaccurate or misleading. To our knowledge there is nothing reflecting unfavorably upon the honesty or integrity of members of our organization. We have accounted for all known or anticipated operating revenue and expense in preparing our funding request.

We agree to provide human-interest stories promoting Pro Bono activities in a timely manner upon request of the Indiana Bar Foundation or Indiana Pro Bono Commission. We further agree to make ourselves available to meet with the Pro Bono Commission and/or the Indiana Bar Foundation to answer any questions or provide any material requested which serves as verification/source documentation for the submitted information.

**Explanation of items stricken from the above Letter of Representation:**

**It is understood that this Letter does not replace the Grant Agreement or other documents required by the Indiana Bar Foundation or Indiana Pro Bono Commission.**

**Signatures:**

\_\_\_\_\_  
**Judicial Appointee Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Plan Administrator Signature**

\_\_\_\_\_  
**Date**

## 2002 REPORT AND 2004 PLAN SUMMARIES

1. In 125 words or less, please write a brief summary of your District's 2002 progress suitable for use in press releases.

**By the end of the year 2002 there were 79 attorneys participating in District 7's Pro Bono Program. 117 cases were assigned during the year and 90 cases were closed. Since March 2001, 259 cases have been assigned through the District 7 Pro Bono Office.**

**In March 2002 a Family Law Seminar was sponsored and organized by the District 7 Pro Bono Corporation. Thirty –three attorneys attended and received six free CLE credits and a comprehensive Family Law Manual that contained forms, check lists, statutes and case law. In return, each attendee agreed to accept two family law pro bono cases. In December 2002 a District 7 recognition dinner was held celebrating District 7's accomplishments and recognizing all participating attorneys. Chief Justice of the Supreme Court, Randall Shepard, attended and spoke to the 90+ attendees.**

**Throughout 2002 recruiting efforts continued and cases assigned to participating attorneys to qualified low income clients.**

2. In 125 words or less, please write a brief summary of the 2004 grant request suitable for use in press releases related to any grant award. Suggested areas to cover are: needs to be addressed, methods, target audience, and anticipated outcomes.

**District 7 Pro Bono Corporation's 2004 grant request is premised on the objective of insuring that qualified low-income citizens within the district receive quality legal representation from one of the 79 participating pro bono attorneys within the district. We now know, as we predicted two years ago, that approximately 75% of the legal services requested is in the area of family law. Through a centralized pro bono office located in the Vigo County Courthouse, clients are interviewed, screened, and assigned cases to attorneys' expertise. Statistics are kept concerning the types of cases assigned, the number of hours of pro bono work each attorney performs throughout the year, client satisfaction, as well as other data that is helpful to the corporation in meeting their objectives.**

**Since March 2001, District 7's Pro Bono Program has insured that hundreds of qualified clients have been represented by participating attorneys within the district; these clients, in almost every instance, had it not been for District 7 Pro Bono Corporation's efforts, would surely have been unrepresented. District 7 will continue the same services in 2004 as in the past to insure that all citizens will have access to the legal system and a slice of justice.**

## **2002 REPORT**

In the next two pages, describe your District's 2002 achievements and activities in relation to the plan approved for 2002 funding. It is permissible to include a relevant number of appendices to further describe 2002 achievements. Please number and reference the appendices.

On January 1, 2002, the District 7 Pro Bono Office was fully operational and had been since March 2001. The central Pro Bono Office, located in the Vigo County Courthouse, was fully staffed as well as all surrounding counties within the district. All activities and responsibilities, as outlined in previous plans, were met throughout the year, i.e. providing intake and screening of prospective clients, providing referral to prospective clients, matching cases with individual attorney experience, establishing a mentor program for participating pro bono attorneys, providing resources for litigation and out-of-pocket expenses, providing legal education and training for pro bono attorneys, establishing and maintaining procedures to insure adequate monitoring and follow-up of all pro bono cases, establishing and maintaining procedures to measure client satisfaction and recognizing pro bono civil legal services by participating pro bono attorneys.

Under the leadership and direction of District 7 Pro Bono Corporation Treasurer, John Roach, a Family Law Seminar was held on March 8, 2002 at the Holiday Inn in Terre Haute, Indiana. All attorneys within the district were notified of the seminar and invited to attend. The seminar was conducted by some of the best family law practitioners within the district. All attendees received six free CLE credits, a free lunch, as well as a manual containing numerous handouts, forms, case law, and other informational materials. Attendees also received a booklet containing the Indiana Parenting Time Guidelines, a booklet containing the Indiana Child Support Guidelines, and a booklet containing all of the relevant Indiana dissolution statutes. Thirty-three attorneys attended this seminar with the agreement that by doing so they would voluntarily accept two family law pro bono cases within the next year.

Dave Remondini, Counsel to the Chief Justice of the Indiana Supreme Court, Randall Shepard, attended the luncheon and made general favorable comments about District 7's initiative, plan, and the seminar. Mr. Remondini took a seminar manual with all materials enclosed with him for purposes of showing other districts what can be done. (See Appendix 1 for the Family Law Seminar notices and listing of the topics covered)

In June, 2002 Judge Phillip I. Adler, President of the District 7 Pro Bono Corporation, at the invitation of the New York Supreme Court, traveled to Fordham University Law School in an effort to help New York organize and establish pro bono programs throughout the state. Judge Adler presented a general explanation of Indiana's initiative and specifically discussed the District 7 organization's method of operation. Prior to his arrival, he forwarded to New York District 7's two previous reports and plans.

## **2002 REPORT, CONTINUED**

On June 26, 2002 a lengthy article appeared in the Terre Haute Tribune Star describing District 7's pro bono plan and it's accomplishments to date. (See Appendix 2)

On October 3, 2002, pro bono district administrators gathered at French Lick, Indiana for a retreat. Judge Adler traveled to French Lick and met with all attending administrators and explained how District 7 organized and put on the Family Law Pro Bono Seminar that was held March 8, 2002. Judge Adler gave all administrators copies of all notices and the table of contents of the subject matter covered, which is included in Appendix 1.

On December 5, 2002 the District 7 Pro Bono Corporation held an evening of celebration and recognition for all participating pro bono attorneys within the district. Attending the recognition dinner were the Honorable Randall T. Shepard, Chief Justice of the Indiana Supreme Court, Chuck Dunlap, Executive Director of the Indiana Bar Foundation, and Dave Remondini, Counsel to the Chief Justice of the Supreme Court. All judges within the district were invited, as well as all attorneys. At the celebration dinner, a large plaque was unveiled which listed the names of all attorneys who participated in the Pro Bono Program, all participating IOLTA banks, all those who have in any way contributed to District 7's pro bono initiative. Included on the plaque were the names of Chief Justice Shepard, Dave Remondini, Justice Brent Dickson, Judge Mark Bailey, Jennifer Konomos, Kelly Davidson, all present and former District 7 Pro Bono Corporation board members, the Indiana Bar Foundation and Chuck Dunlap. In all, there are 106 names emblazoned on the distinctive plaque, which resides in the Vigo County Courthouse. The inscription on the plaque reads as follows:

**District 7  
Pro Bono Program**

The following are commended for their unselfish  
contributions of time, talent, and generosity in insuring  
that all citizens are afforded equal access to justice.

During the evening, Judge Adler, Chief Justice Shepard, Dave Remondini, and Charles Dunlap spoke. Additionally, attorneys David Friedrich and Martha Crossen received the Max Goodwin Award for the extraordinary time and effort they have devoted to the District 7 Pro Bono Program. A video presentation entitled "Bridging the Gap to Justice" produced by the Indiana Pro Bono Commission was shown and received a thunderous ovation. The invitation for the recognition dinner and the two very favorable newspaper articles that appeared in the Terre Haute Tribune Star shortly thereafter, are included as Appendix 3.

Finally, recruiting efforts throughout the year 2002 have continued. As the statistical records contained in this report show, District 7 has continued to provide eligible clients within the district with pro bono attorneys.

<b><u>2002 VOLUNTEER LAWYER ACTIVITY</u></b>
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<b>Legal Service Provider Agency or Organization (Include Bar Associations)</b>	<b>Number of Participating Volunteer Lawyers</b>	<b>Number of Volunteer Lawyer Hours Reported on Cases Closed in 2002</b>	<b>Number of Open Volunteer Lawyer Cases</b>	<b>Number of Low-income Citizens Receiving Limited Legal Information from Volunteer Lawyers*</b>
<b>District 7 Pro Bono Corporation</b>	<b>79</b>	<b>512.7</b>	<b>182</b>	<b>Unknown</b>

\*This category includes Volunteer Lawyer public outreach to low income citizens for a one-time, limited contact such as call-in or walk-in information services, pro-se clinics and panel presentations. Please put in parentheses the number of citizens whose income was not determined.

Definitions:

Case: A legal matter referred to a pro bono attorney volunteer

Participating Volunteer Lawyer: An attorney who has rendered pro bono service to at least one low-income client during the year or accepted a pro bono referral from the identified program.

## 2002 VOLUNTEER LAWYER ACTIVITY, CONTINUED \*



Please list any volunteer lawyer activity category utilized by the organization receiving Pro Bono funding which was not included in the previous table. Include the definition and 2002 statistics for the category.

**Several attorneys serve as mentors in the area of family law. We do not have data as to the number of hours spent in this regard. Additionally, eight attorneys lectured at our Spring 2002 Family Law Seminar and prepared materials. It is estimated that these attorneys donated approximately 70 hours in this effort, which is not reflected in our statistical data herein.**

In order to make reporting more consistent and concise in the future, please list the various categories used by legal service providers in your district for recording volunteer lawyer activity. Define each category. (If more than one agency or organization has the same category and definition, please list it once, indicating the number of organizations using the category.)

**District 7 uses the same categories as listed on page 10 of this report. District 7 assign bankruptcy cases which are listed in the "consumer/finance" category. All divorce cases are included in the "family" category. Our database does divide divorce cases into specific types, all of which are included in the "family" category; such as support modification, custody modification, final divorce with or without children, visitation issues, support issues, and emancipation. Adoptions are also included in the "family" category.**

## 2002 VOLUNTEER LAWYER ACTIVITY BY TYPE OF CASE

Number Of Lawyers Participating In Pro Se Clinics, Call-In Services And Other Limited Informational Activities in 2002: 79.

Type Of Case (Primary Issue)	Total Of All District Legal Service Pro- vider Active Cases Assigned To And Accepted By A Volunteer Lawyer.
Consumer/Finance	8
Education	0
Employment	0
Family	71
Guardianship	23
Juvenile	0
Health	0
Housing	4
Immigration/Naturalization	0
Income Maintenance	0
Individual Rights	0
Mediation	0
Wills & Estates	8
Other (specify)	
Hardship License	1
Benefits	2
Total Number of Cases	117

## **2004 PLAN AND REQUEST**

In the following two pages, describe items or activities planned for 2004 for which funding is requested.

If a special event, such as a pro se clinic, volunteer banquet, or Continuing Legal Education seminar is planned, please include the total projected cost of the event in parenthesis at the end of the descriptive paragraph.

**As it has since March 2001, District 7 Pro Bono Corporation will continue the services it has always provided, with the main office in the Vigo County Courthouse and satellite offices in all other counties within the district, as more particularly described in paragraph 1 of page 6 of this report.**

**In the Spring 2002, as previously stated herein, a Family Law Seminar was conducted by District 7. A survey will be conducted in 2004 to see if there is demand for another Family Law Seminar, since 75% of our applicants request family law assistance. If the demand is sufficient, another Family Law Seminar will be presented by District 7. (\$1,000)**

**Judge Adler recently met with Karen Nielson of LSO concerning conducting pro se family law clinics. Judge Adler advised that he would be happy to speak at the clinics and that his courtroom could be utilized for this purpose. It is planned that the pro se clinics will begin in the year 2003 and most likely will continue throughout 2004. The cost of the pro se clinics cannot be estimated at this time, however it is believed to be minimal.**

**In 2004, another recognition and celebration banquet will be planned. All attorneys within the district will be invited and special awards and recognition during the dinner meeting for participating pro bono attorneys will be the main focus of the event. (\$1,200.00)**

**Recruiting efforts will continue through 2004 as it has in the past and which is more particularly described on page 14 of this report.**

## **2004 PLAN AND REQUEST, CONTINUED**



## 2004 PRO BONO DISTRICT ACTIVITIES

Please check the activities, which your district organization will provide during 2004 to support the pro bono efforts of the attorneys in your district. If the activity is provided by another organization in your district, please put a plus sign (+) in the blank following the activity.

- X   Providing intake and screening of prospective clients      \_\_\_\_\_
- X   Providing referral of prospective clients      \_\_\_\_\_
- X   Matching cases with individual attorney experience      \_\_\_\_\_
- X   Establishing and/or maintaining specialized panels of volunteer lawyers based on area of practice emphasis      \_\_\_\_\_
- X   Providing resources for litigation and out-of-pocket expenses      \_\_\_\_\_
- X   Providing legal education and training for pro bono attorneys in areas of practice emphasis useful in providing pro bono civil legal service      \_\_\_\_\_
- X   Providing the availability of consultation with attorneys whose practice concentration is in an area of law about which a volunteer lawyer is providing pro bono civil legal service (mentoring) \_\_\_\_\_
- \_\_\_\_\_ Providing malpractice insurance for volunteer pro bono lawyers      \_\_\_\_\_
- X   Establishing and/or maintaining procedures to ensure adequate monitoring and follow-up \_\_\_\_\_
- X   Establishing and/or maintaining procedures to measure client satisfaction      \_\_\_\_\_
- X   Recognizing pro bono civil legal service by lawyers      \_\_\_\_\_
- X   Providing community outreach, legal education services or programs        +   \_\_\_\_\_
- \_\_\_\_\_ Other \_\_\_\_\_
- \_\_\_\_\_ Other \_\_\_\_\_

## 2004 PRO BONO DISTRICT ACTIVITIES, continued

1. List the joint efforts, activities or programs in which your district organization will be involved. Please include the name of the other organization(s), a brief description of the activity and a description of the resources provided to the effort by all participating organizations.

**Legal Services organization and District 7 anticipate conducting pro se family law clinics throughout the year.**

2. Number of cases in your district awaiting assignment to a Volunteer Pro Bono Attorney as of the date this report is prepared: 232
3. Percentage estimate of the types of cases awaiting assignment::  
**Family Law – 75%, Bankruptcy – 7%, Guardianships – 4 ½%, Hardship License – 4 ½%;**  
**Miscellaneous – 9%**
4. List the efforts that will be made to recruit new pro bono volunteer lawyers:

**Once again, all judges in the district will be sent a letter asking them to encourage attorneys in their respective county to participate in District 7's Pro Bono Program. Other than Vigo, participation in all other counties within District 7 has been woefully inadequate.**

**Attorneys will be recruited to make calls to other attorneys asking them to participate in the program and if they already are, to accept a few more cases per year. Hopefully, peer pressure will spur more participation.**

**A family law seminar may be planned again if the demand is present.**

**An awards banquet will be held, which may invigorate more participation, as it did after our December 2002 banquet.**

**Board members will continue to remind attorneys of their moral obligations to participate and Judge Adler will send once again a letter to all attorneys in the district asking them to participate and reminding them of their ethical and moral obligation to do their fair share of pro bono representation. (Rule 6.1)**

## 2004 DISTRICT BUDGET FORM

COST CATEGORY	IOLTA \$	OTHER \$	DONATED	TOTAL	2003 Revised & Estimated
<b>A. Personnel Costs</b>					
1. Plan Administrator (CODA)	17,500			17,500	
2. Lawyers			100,000	100,000	
3. Paralegals					
4. Others					
5. Salary Subtotal					
6. Employee Benefits					
7. Total Personnel Costs	17,500		100,000	117,500	
<b>B. Non Personnel</b>					
1. Occupancy			6,000	6,000	
2. Equipment Rental					
3. Office Supplies	400			400	
4. Telephone	2,000			2,000	
5. Travel	400			400	
6. Training	1,200			1,200	
7. Library					
8. Malpractice Insurance					
9. Dues and Fees					
10. Audit	1,000			1,000	
11. Contingent Reserve Fund for Operating Expenses					
12. Marketing and Promotion					
13. Litigation (Includes Expert Fees)	5,000			5,000	
14. Property Acquisition					
15. Purchase Payments					
16. Contract Services to Clients					
17. Contract Services to Program					
18. Other					
19. Total Non Personnel Costs	10,000		6,000	16,000	
<b>C. Total Expenditures</b>	27,500		106,000	133,500	
1. Total Program Disbursements					
2. Litigation Fund *					

\*Reserves in this category are not required to be resubmitted to the IBF if not spent during the allocation calendar year.,

<b>ANNUAL TIMETABLE FOR SUBMISSION OF FORMS AND CHECKS:</b>
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January 1:	Checks distributed
July 1:	Annual report, plan and grant application due to IPBC
November:	Notification of awards
December 1:	IBF grant agreement due and revised budget due (as needed)